

## REMARKS

This is a full and timely response to the non-final Office Action mailed July 7, 2003. Upon entry of the amendments described above, claims 1 – 5, 7 – 11, and 13 – 18 are pending. More specifically, Applicants have amended claims 7 and 13 and have canceled claims 12, 19, and 20 without prejudice, waiver, or disclaimer. Applicants have canceled claims 12, 19, and 20 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### Claims 1 – 5, 7 – 11, and 13 – 18 are Patentable Over U.S. Patent No. 5,946,486

The Office Action rejects claims 1 – 5 and 7 – 20 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 5,946,486 to Pekowski (“the ‘486 patent”). As stated above, Applicants have canceled claims 12, 19, and 20. Therefore, the rejection of claims 12, 19, and 20 is rendered moot.

Applicants respectfully disagree with this characterization of the ‘486 patent, and respectfully assert that all pending claims are NOT anticipated by the ‘486 patent for at least the reason that the ‘486 patent fails to disclose, teach, or suggest the limitation of “a generic interception communication interface” as recited in independent claims 1, 7, and 13. More specifically, the method of independent claim 1 recites the limitation of “a generic interception communication interface that maintains communication between said application program interface and an intercept logic.” The event interception system of independent claim 7 recites the limitation of “a generic interception communication interface, said generic

interception communication interface maintaining communication between said intercepting means and said processing means.” The event interception system of independent claim 13 recites the limitation of “a generic interception communication interface for transferring said event from said application program interface to said intercept logic if event intercepting is enabled.”

Applicants respectfully submit that the ‘486 patent fails to disclose, teach, or suggest the limitation of “a generic interception communication interface” as recited in independent claims 1, 7, and 13. Applicants have reviewed the portions of the ‘486 patent that are alleged in the Office Action to teach “a generic interception communication interface.” See col. 4, ll. 65 – 67; col. 5, ll. 1 – 18; col. 5, ll. 36 – 41; and col. 10, ll. 20 – 42. Applicants respectfully assert that the shadow dynamic link library (DLL) 155 and 725 is clearly different than the claimed “generic interception communication interface” that maintains communication between the application program interface and the intercept logic.

In fact, Applicants point out that the shadow DLL disclosed in the ‘486 patent is no different than the problematic implementations described in the Background of the Invention section of the specification, which employ a shared library. Unlike the “generic interception communication interface” recited in independent claims 1, 7, and 13, the shadow DLL disclosed in the ‘486 patent is a shared library. In these types of implementations, the intercepting of API events requires a large amount of tools-specific instrumentation code or relies upon the behavior of shared library dynamic symbol binding. Generally, the characterization code is contained in the shadow DLL, which replaces the actual shared library for which the characterization is needed. The characterization code is for showing the right information about events. Because the characterization code is contained in the shadow DLL another shared communication library is needed to accomplish the communication between the API library and the collection tool. Applicants have characterized these types of

implementations and described their inherent disadvantages in the specification. See p. 1, line 13 – p. 2, line 16; p. 11, line 7 – p. 12, line 2; and p. 13, ll. 3 – 11.

Therefore, Applicants respectfully assert that the ‘486 patent clearly does not disclose, teach, or suggest the limitation of a “generic interception communication interface” as recited in independent claims 1, 7, and 13. For at least this reason, Applicants respectfully submit that independent claims 1, 7, and 13 are patentable over the ‘486 patent. Furthermore, Applicants respectfully submit that dependent claims 2 – 5 (which depend from independent claim 1), dependent claims 8 – 11 (which depend from independent claim 7), and dependent claims 14 – 18 (which depend from independent claim 13) are patentable over the ‘486 patent for at least the reason that they include the limitations of the corresponding base claim. Accordingly, Applicants respectfully request that the rejection of claims 1 – 5, 7 – 11, and 13 – 18 be withdrawn and the claims be allowed.

## CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that pending claims 1 – 5, 7 – 11, and 13 – 18 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

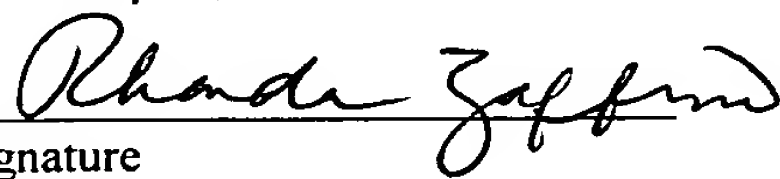


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 10/6/2003.

  
Signature